

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOSE GUZMAN

Case No.: 1:16-cv-03499-GBD-RLE

Plaintiff,

-against-

**MEL S. HARRIS & ASSOCIATES, LLC
LR CREDIT 13, LLC
SAMSERV, INC
JOHN ANDINO
WILLIAM MLOTOK**

Defendants.

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**DECLARATION OF AHMAD KESHAVARZ IN SUPPORT OF PLAINTIFF'S
MOTIONS FOR SUMMARY JUDGMENT**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

NOW COMES Ahmad Keshavarz and pursuant to 28 U.S.C. § 1746, declared under penalty of perjury that the following is true and correct:

1. I am the attorney for Plaintiff.
2. I submit this declaration in support of Plaintiff's Motion for Summary Judgment pursuant to FRCP 56 and its relevant subsections.
3. Attached is a true and correct copy of the following: Exhibit A, Articles of Organization of LR Credit 13, LLC.
4. Attached is a true and correct copy of the following: Exhibit B, March 10, 2017 Deposition Transcript of Rocco Nittoli, the Corporate Representative of LRC.

5. Attached is a true and correct copy of the following: Exhibit C, Operating Agreement of LR Credit 13, LLC.
6. Attached is a true and correct copy of the following: Exhibit D, Military Status Report from Department of Defense Manpower Data Center in Arlington, VA.
7. Attached is a true and correct copy of the following: Exhibit E, March 15, 2017 Deposition Transcript of William Mlotok.
8. Attached is a true and correct copy of the following: Exhibit F, Certificate of Assumed Name of Samserv, Inc.
9. Attached is a true and correct copy of the following: Exhibit G, Joint Venture and Limited Liability Agreement of LR Credit, LLC.
10. Attached is a true and correct copy of the following: Exhibit H, LRC's May 31, 2017 Memorandum of Law in Opposition to Plaintiff's Motion to Amend, DE 168.
11. Attached is a true and correct copy of the following: Exhibit I, Agreement for Legal Collection Service.
12. Attached is a true and correct copy of the following: Exhibit J, New York City Department of Consumer Affairs Roster of Process Servers for Samserv, Inc.
13. Attached is a true and correct copy of the following: Exhibit K, New York City Department of Consumer Affairs Decision and Order revoking Nasser Atrash's process server license.
14. Attached is a true and correct copy of the following: Exhibit L, September 17, 2010 Affidavit of Jeffrey A Schwartz, Esq.
15. Attached is a true and correct copy of the following: Exhibit M, New York City Department of Consumer Affairs Notice of Hearing against Husam Al-Atrash.

16. Attached is a true and correct copy of the following: Exhibit N, New York City Department of Consumer Affairs Consent Order with Hasam Al-Atrash.
17. Attached is a true and correct copy of the following: Exhibit O, New York City Department of Consumer Affairs decision revoking Michael Mosquera's process server's license.
18. Attached is a true and correct copy of the following: Exhibit P, Egleson Affidavit.
19. Attached is a true and correct copy of the following: Exhibit Q, Mosquera Assurance of Discontinuance.
20. Attached is a true and correct copy of the following: Exhibit R, 2011 DCA Letter Denying Renewal of Mr. Mosquera's process server license.
21. Attached is a true and correct copy of the following: Exhibit S, Ecourts record, stamped Summons, Affidavit of Service and Amended Affidavit of Service in Rushmore Recoveries X, LLC v. Doris Peralta, Index No. 39754-05 (Civil Court County of New York)
22. Attached is a true and correct copy of the following: Exhibit T, November 7, 2013 Decision in Palisades Collection, LLC v. Smith, Index No. CIV 020105/06 (Civil Court of the City of New York, Bronx County).
23. Attached is a true and correct copy of the following: Exhibit U, November 17, 2011 Deposition Transcript of Benjamin Lamb in Sykes.
24. Attached is a true and correct copy of the following: Exhibit V, DCA Lamb Consent Order.
25. Attached is a true and correct copy of the following: Exhibit W, Stevens Assurance of Discontinuance.

26. Attached is a true and correct copy of the following: Exhibit X, Stevens Consent Order.
27. Attached is a true and correct copy of the following: Exhibit Y, November 9, 2009 Decision in NCO Portfolio Management v. Carrasco, Index No. 30036/08 (Civil Court of the City of New York Count of New York).
28. Attached is a true and correct copy of the following: Exhibit Z, New York City Department of Consumer Affairs decision revoking Angelo M. Rivera's process server license.
29. Attached is a true and correct copy of the following: Exhibit AA, Affidavit of Service of Summons and Complaint in Guzman collection case.
30. Attached is a true and correct copy of the following: Exhibit BB, July 23, 2011 Affidavit of John Andino.
31. Attached is a true and correct copy of the following: Exhibit CC, January 18, 2011 Abdelrahman Hearing Notice.
32. Attached is a true and correct copy of the following: Exhibit DD, March 16, 2011 Abdelrahman Hearing Notice.
33. Attached is a true and correct copy of the following: Exhibit EE, Coffey Declaration.
34. Attached is a true and correct copy of the following: Exhibit FF, June 27, 2011 Hearing Transcript in Sykes.
35. Attached is a true and correct copy of the following: Exhibit GG, August 1, 2011 Declaration of Bruce Lazarus.
36. Attached is a true and correct copy of the following: Exhibit FF, Original Complaint in Sykes v. Mel S. Harris, LLC, et al., 1:09-cv-08486-DC (S.D.N.Y).

37. Attached is a true and correct copy of the following: Exhibit II, First Amended Complaint in Sykes v. Mel S. Harris, LLC, et al., 1:09-cv-08486-DC (S.D.N.Y).
38. Attached is a true and correct copy of the following: Exhibit JJ, Affidavits of Service from Sykes v. Mel S. Harris, LLC, et al., 1:09-cv-08486-DC (S.D.N.Y) [DE 5].
39. Attached is a true and correct copy of the following: Exhibit KK, Information Subpoena in Guzman Collection case.
40. Attached is a true and correct copy of the following: Exhibit LL, Order granting class certification in Sykes.
41. Attached is a true and correct copy of the following: Exhibit MM, Third Amended Complaint in Sykes v. Mel S. Harris, LLC, et al., 1:09-cv-08486-DC (S.D.N.Y).
42. Attached is a true and correct copy of the following: Exhibit NN, Amendment No. 7 to Agreement for Legal Collection Services.
43. Attached is a true and correct copy of the following: Exhibit OO, Summons and Complaint in Guzman Collection case.
44. Attached is a true and correct copy of the following: Exhibit PP, June 14, 2017 Deposition Transcript of Jose Guzman.
45. Attached is a true and correct copy of the following: Exhibit QQ, May 2, 2017 Attorney General order.
46. Attached is a true and correct copy of the following: Exhibit RR, June 16, 2017 Deposition Transcript of Laura Guzman.
47. Attached is a true and correct copy of the following: Exhibit SS, NYC Buildings Report for 1304 Boston Road, Bronx, NY 10456 with google street view images.

48. Attached is a true and correct copy of the following: Exhibit TT, Default Application with Affidavit of Merit.
49. Attached is a true and correct copy of the following: Exhibit UU, Ecourts screens merged.
50. Attached is a true and correct copy of the following: Exhibit VV, Affidavit of Merit from Portfolio Recovery Associates, LLC v. Mary E. Toohey, Index No. 126293 (Supreme Court of the State of New York, County of Monroe).
51. Attached is a true and correct copy of the following: Exhibit WW, Deposition Transcript of Todd Fabacher.
52. Attached is a true and correct copy of the following: Exhibit XX, Plaintiff's First Set of Discovery Requests to all Defendants.
53. Attached is a true and correct copy of the following: Exhibit YY, January 30, 2017 letter from LRC, DE 112.
54. Attached is a true and correct copy of the following: Exhibit ZZ, March 16, 2017 hearing transcript.
55. Attached is a true and correct copy of the following: Exhibit AAA, March 28, 2017 subpoena issued by LRC to Chase Bank.
56. Attached is a true and correct copy of the following: Exhibit BBB, July 31, 2017 Order to Show Cause.
57. Attached is a true and correct copy of the following: Exhibit CCC, Affidavit of Jose Guzman in support of OSC.
58. Attached is a true and correct copy of the following: Exhibit DDD, Proposed Written Answer.

59. Attached is a true and correct copy of the following: Exhibit EEE, August 18, 2015 letter with stipulation.
60. Attached is a true and correct copy of the following: Exhibit FFF, October 2, 2015 letter with stipulation.
61. Attached is a true and correct copy of the following: Exhibit GGG, Excerpt from Samserv process server database.
62. Attached is a true and correct copy of the following: Exhibit HHH, Google Maps pages.

Dated: Brooklyn, New York
July 19, 2017

Respectfully submitted,
/s/

Ahmad Keshavarz
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CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

SAMSERV, INC
WILLIAM MLOTOK
by and through their attorneys of record
Jeffrey S. Lichtman
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Dated: Brooklyn, NY

July 19, 2017

/s/

Ahmad Keshavarz
Attorney for Plaintiff